
Chapter 7

Juveniles in correctional facilities

Juvenile correctional systems have many different components. Some juvenile correctional facilities look very much like adult prisons. Others seem very much like “home.” Private facilities continue to play a substantial role in the long-term custody of juveniles, in contrast to the adult corrections system. In fact, nationwide there are more than twice as many privately operated juvenile facilities as publicly operated facilities, although private facilities hold less than half as many juveniles as are held in public facilities.

This chapter describes the population of juveniles detained and committed in public and private facilities in terms of demographics,

offenses, average time in the facility, and facility type. The chapter also includes descriptions of juveniles held in adult jails and prisons and those on death row. Much of the information is presented in State-level tables.

The information is based on the Office of Juvenile Justice and Delinquency Prevention’s Census of Juveniles in Residential Placement and Children in Custody Census of Juvenile Detention, Correctional, and Shelter Facilities. Much of the information on juveniles held in adult correctional facilities is drawn from the Bureau of Justice Statistics’ Jail Census, Annual Survey of Jails, and National Corrections Reporting Program.

Nearly 106,000 juvenile offenders were held in residential placement facilities on October 29, 1997

New, detailed data are available on juveniles in residential placement in the United States

The newest information on residents in juvenile custody is drawn from the Census of Juveniles in Residential Placement (CJRP). The CJRP was administered for the first time in 1997 by the Bureau of the Census for the Office of Juvenile Justice and Delinquency Prevention (OJJDP). The CJRP replaced the Census of Public and Private Juvenile Detention, Correctional, and Shelter Facilities, also known as the Children in Custody (CIC) census, which had been conducted since the early 1970's. The CJRP, which will be repeated biennially, provides the Nation with the most detailed picture of juveniles in custody ever produced. The first CJRP asked all juvenile residential facilities in the U.S. to describe each youth assigned a bed in the facility on October 29, 1997.

The CJRP differs fundamentally from the CIC census, which collected aggregate data on juveniles held in each facility. The CJRP, instead, collects individual data on each juvenile held in the residential facility, including gender, date of birth, race, placement authority, most serious offense charged, court adjudication status, date of admission, and security status. These comprehensive data were requested regarding all offenders under 21 years of age in the facility.

Facilities also provided information regarding the housing of overflow detention populations, physical layout of the facility, separation of residents, counts of residents age 21 and older, and the use of locked doors and/or gates.

One-day count and admission data give different views of residential populations

The CJRP provides 1-day population counts of juveniles in residential placement facilities. Such 1-day counts give a picture of the standing population in facilities. One-day counts are substantially different from annual admission and release data, which give a measure of facility population flow.

Juveniles may be *committed* to a facility as part of a court-ordered disposition or they may be *detained* prior to adjudication or after adjudication while awaiting disposition or placement elsewhere. In addition, a small proportion of juveniles may be *voluntarily admitted* in lieu of adjudication as part of a diversion agreement. On a 1-day count basis, the majority of juveniles in residential placement were adjudicated and placed there as part of a court-ordered disposition (72%). Juvenile courts had adjudicated and placed most of these committed juveniles (95%); criminal courts placed the remaining 5% of committed juveniles following conviction. Detained juveniles represented 26% of the 1-day count of juveniles in residential placement.

Of the 26% of juveniles in residential placement who were detained while awaiting adjudication, disposition, or placement, 6% were juveniles who were transferred and awaiting criminal court processing or who were awaiting a transfer hearing. The majority of detained juveniles were being handled in juvenile court (94%).

Because detention stays tend to be short compared with commitment placements, detained juveniles rep-

resent a much larger share of population flow data than of 1-day count data. For example, CIC census data on admissions show that detention admissions accounted for 80% or more of annual admissions to residential facilities. This detained proportion of admissions is more than three times the detained proportion of the standing population from the 1997 CJRP (26%).

CJRP does not capture data on juveniles held in adult prisons or jails; therefore, in the CJRP data, juveniles placed in juvenile facilities by criminal courts represent an unknown proportion of juveniles incarcerated by criminal courts.

Nearly 106,000 juveniles in residential placement on October 29, 1997, met the CJRP criteria

Responses to the CJRP identified 125,805 young persons assigned beds in 1,121 public and 2,310 private facilities nationwide. Of these, 105,790 (84%) met the inclusion criteria for the census:

- Under age 21; *and*
- Assigned a bed in a residential facility at the end of the day on October 29, 1997; *and*
- Charged with an offense or court-adjudicated for an offense; *and*
- In residential placement because of that offense.

	Youth in residential placement on October 29, 1997	
	Count	Percent
Total residents	125,805	100%
Met CJRP criteria	105,790	84
Delinquency	98,913	79
Person offense	35,357	28
Violent offense	26,498	21
Status offense	6,877	5
Did not meet CJRP criteria	20,015	16

These 105,790 juveniles are the universe for the data analysis in this chapter. Some facilities were not able to provide all the information requested for all juveniles meeting CJRP inclusion criteria. Of the records for the 105,790 juveniles, 17% were missing information for one or more variables. Data were imputed from complete records to fill in incomplete records. Therefore, reported CJRP estimates regarding the characteristics of juveniles in custody may differ somewhat from their actual characteristics.

The majority of juveniles who met the criteria for inclusion in the CJRP census were in placement for delinquency offenses (93%); proportionally few juveniles meeting the inclusion criteria were held for status offenses (7%).

The 1997 CJRP population looks similar to the 1995 CIC population

Although trending of CJRP data with data collected under the CIC census is problematic, a look back at the last CIC data indicates that the new CJRP data collection is capturing a comparable population.

	Juveniles in custody on February 15, 1995	
	Count	Percent
Total population	108,746	100%
Law violation	91,505	84
Delinquency	84,020	77
Person offense	30,969	28
Violent offense	18,011	17
Status offense	7,485	7
Nonoffenders*	17,241	16

*Includes youth referred for abuse, neglect, emotional disturbance, or mental retardation; and voluntarily admitted youth (generally referred by school officials or parents or as part of a diversion program).

What cannot be determined is how much of the increase in the numbers of delinquents and status offenders is real and how much is an artifact of the change in method. For example, an October instead of a February reference date may have resulted in a larger count; also, both the "roster" format of the data collection and the use of electronic reporting may have facilitated a more complete accounting of facility residents. In addition, CJRP provides respondents with more explicit definitions and instructions than CIC did.

The CJRP allows presentation of State custody rates based on where the offense occurred

The CIC census was limited to presentation of State data based only on the State in which reporting facilities were located. This prevented the calculation of meaningful State custody rates for the population of juveniles held in private facilities. For example, juveniles sent to the numerous private facilities in Pennsylvania by States other than Pennsylvania could not have been included in the rate statistics for the States that sent them. For this reason, CIC could only produce State custody rates for the population of juveniles held in publicly operated facilities.

The CJRP, on the other hand, captures information on the State where the juvenile committed the offense. The State of offense is presumed to be the State that has jurisdiction over the juvenile (although this was not reported directly). Thus, the CJRP for the first time allows presentation of State-based custody rates that include juveniles sent to both public and private facilities.

State variations in upper age of juvenile court jurisdiction influence custody rates

Although State custody rate statistics control for upper age of original juvenile court jurisdiction, comparisons made among States with different upper ages are problematic. While 16- and 17-year-olds constitute approximately 25% of the youth population ages 10–17, they account for nearly 50% of arrests of youth under age 18, nearly 40% of delinquency court cases, and more than 50% of juveniles in residential placement. If all other factors were equal, one would expect higher juvenile custody rates in States where older youth are under juvenile court jurisdiction.

In addition to upper age of original juvenile court jurisdiction, differences in age limits of extended jurisdiction influence custody rates. Some States may keep a juvenile in custody for several years beyond the upper age of original juvenile court jurisdiction; others cannot.

Variations in provisions for transferring juveniles to criminal court also have an impact on juvenile custody rates. If all other factors were equal, States with broad transfer provisions would be expected to have lower juvenile custody rates than other States.

Demographic variations should also be considered when making jurisdictional comparisons. The urbanicity and economics of an area are thought to be related to crime and custody rates.

Available bed space also influences custody rates. Bed space is particularly relevant to detention in rural areas.

Overall, delinquents outnumber status offenders in the residential placement population 14 to 1—the ratio is more than 41 to 1 in public facilities and less than 5 to 1 in private facilities

Most serious offense	Percent of juvenile offenders in residential placement on October 29, 1997						
	All facilities	Public facilities			Private facilities		
		Total	Committed	Detained	Total	Committed	Detained
Delinquency	98,913	74,552	50,163	23,819	24,361	21,515	2,450
	100%	100%	100%	100%	100%	100%	100%
Person	36	37	39	31	33	33	31
Criminal homicide	2	2	3	2	0	0	1
Sexual assault	6	5	6	3	7	7	5
Robbery	10	11	12	8	6	6	4
Aggravated assault	10	10	11	9	8	8	7
Simple assault	7	6	5	6	10	10	12
Other person	9	2	2	9	12	12	13
Property	32	31	33	26	37	37	36
Burglary	13	13	14	11	13	13	11
Larceny-theft	7	7	8	5	9	9	8
Auto theft	7	6	6	6	9	9	7
Arson	1	1	1	1	1	1	1
Other property	5	4	5	4	6	5	8
Drug	9	9	9	9	11	11	9
Trafficking	3	3	3	3	3	3	2
Other drug	6	6	5	6	8	8	7
Public order	10	10	10	10	11	10	12
Weapons	4	4	5	4	4	3	4
Alcohol	0	0	0	0	0	0	1
Other public order	5	5	5	5	7	6	7
Technical violation [†]	13	14	9	24	9	8	13
Violent Crime Index*	27	29	32	23	20	21	17
Property Crime Index**	28	26	28	22	31	32	28
Status offense	6,877	1,783	973	695	5,094	3,852	716
	100%	100%	100%	100%	100%	100%	100%
Running away	22	27	15	40	20	18	29
Truancy	19	23	32	9	18	19	18
Incorrigibility	41	26	29	22	47	47	45
Curfew violation	3	4	3	6	2	2	1
Underage drinking	5	6	6	8	4	4	3
Other status offense	10	14	14	15	9	10	5

■ Juveniles charged with crimes against persons made up a greater share of the delinquent population in public facilities (37%) than in private facilities (33%).

■ Juveniles held for Violent Crime Index offenses (a subset of crimes against persons) made up 27% of the overall delinquency population in residential facilities—32% of delinquents committed to public facilities and 21% of delinquents committed to private facilities.

[†]Includes violations of probation, parole, and valid court order.

*Includes criminal homicide, sexual assault, robbery, and aggravated assault.

**Includes burglary, larceny-theft, auto theft, and arson.

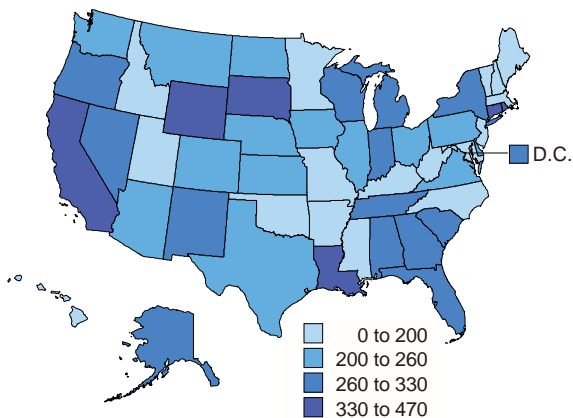
Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement 1997* [machine-readable data file].

Nationally in 1997, 368 juveniles were in custody for every 100,000 in the population

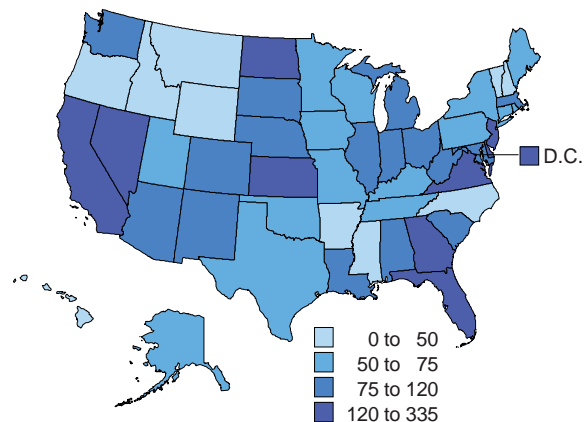
California, Texas, and Florida together account for 25% of juveniles but over 30% of juveniles in custody

State*	Juveniles in custody	Custody rate (per 100,000)			State*	Juveniles in custody	Custody rate (per 100,000)		
		Total	Committed	Detained			Total	Committed	Detained
U.S. total	105,790	368	256	95	Upper age 17 (continued)				
Upper age 17					Oklahoma	808	196	126	69
Alabama	1,685	348	262	79	Oregon	1,462	389	319	34
Alaska	352	418	329	75	Pennsylvania	3,962	302	238	62
Arizona	1,868	344	239	99	Rhode Island	426	412	348	57
Arkansas	603	198	167	27	South Dakota	528	556	410	84
California	19,899	549	386	154	Tennessee	2,118	358	290	66
Colorado	1,748	379	242	116	Utah	768	247	172	74
Delaware	311	402	229	173	Vermont	49	70	44	23
Dist. of Columbia	265	662	297	332	Virginia	2,879	399	230	168
Florida	5,975	394	261	130	Washington	2,216	335	244	91
Hawaii	134	106	86	13	West Virginia	398	200	97	101
Idaho	242	145	102	43	Wyoming	340	511	467	26
Indiana	2,485	366	269	93	Upper age 16				
Iowa	1,064	307	222	73	Georgia	3,622	480	307	172
Kansas	1,242	386	256	123	Illinois	3,425	286	205	78
Kentucky	1,079	243	190	51	Louisiana	2,776	582	459	115
Maine	318	220	156	56	Massachusetts	1,065	194	110	82
Maryland	1,498	273	166	105	Michigan	3,710	375	263	108
Minnesota	1,522	258	198	54	Missouri	1,401	248	175	58
Mississippi	756	218	181	34	New Hampshire	186	154	127	24
Montana	302	266	236	21	South Carolina	1,583	427	328	99
Nebraska	741	353	236	111	Texas	6,898	327	252	72
Nevada	857	460	267	183	Wisconsin	2,013	359	300	56
New Jersey	2,251	266	142	122	Upper age 15				
New Mexico	778	342	262	79	Connecticut	1,326	508	436	69
North Dakota	272	336	200	132	New York	4,661	323	267	53
Ohio	4,318	332	229	101	North Carolina	1,204	196	152	43

Commitment rate



Detention rate



*State where the offense occurred.

Note: The custody rate is the number of juveniles in residential placement per 100,000 juveniles ages 10 through the upper age of original juvenile court jurisdiction in each State. U.S. total includes 3,401 juveniles in private facilities for whom State of offense was not reported.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement 1997* [machine-readable data file] and Bureau of the Census' *Estimates of the population of States by age, sex, race, and Hispanic origin: 1990-1997* [machine-readable data files].

Nationally, person offenders accounted for 33% and property offenders for 30% of juveniles in custody

The offense profile of juveniles in residential placement varies considerably from State to State

Most serious offense							Most serious offense						
State*	Person						State*	Person					
	Violent	Other person	Property	Drugs	Public order	Status		Violent	Other person	Property	Drugs	Public order	Status
U.S. total	25%	8%	30%	9%	21%	7%	Missouri	18%	6%	38%	7%	15%	16%
Alabama	11	7	35	7	29	12	Montana	17	12	29	6	23	14
Alaska	19	15	24	1	36	5	Nebraska	8	12	50	6	16	9
Arizona	16	8	36	10	27	4	Nevada	16	8	33	15	28	<1
Arkansas	16	13	38	5	20	7	New Hamp.	11	37	28	5	10	10
California	38	5	27	7	22	1	New Jersey	23	4	17	21	32	3
Colorado	22	13	32	6	24	3	New Mexico	24	11	35	5	24	1
Connecticut	16	11	19	24	26	5	New York	23	10	23	13	11	20
Delaware	23	9	33	12	23	<1	North Carolina	23	11	43	6	12	4
Dist. Columbia	23	5	19	34	16	3	North Dakota	8	12	28	5	11	36
Florida	22	10	37	9	21	1	Ohio	25	8	34	7	22	4
Georgia	20	11	30	8	28	3	Oklahoma	31	7	35	4	18	6
Hawaii	22	19	27	1	22	9	Oregon	41	7	37	4	8	2
Idaho	14	12	36	2	37	0	Pennsylvania	20	10	27	11	22	10
Illinois	33	4	25	13	25	1	Rhode Island	28	12	23	15	20	2
Indiana	11	13	31	7	21	17	South Carolina	19	9	27	5	36	4
Iowa	16	11	36	10	14	13	South Dakota	14	12	28	7	27	13
Kansas	23	9	30	7	14	19	Tennessee	19	6	22	6	19	28
Kentucky	22	13	32	6	18	10	Texas	28	9	33	8	21	2
Louisiana	26	8	38	13	10	5	Utah	16	4	28	6	37	11
Maine	19	12	46	2	12	8	Vermont	6	29	31	2	16	16
Maryland	17	9	32	24	16	2	Virginia	20	9	26	7	34	5
Massachusetts	41	15	25	8	11	<1	Washington	32	8	33	5	20	1
Michigan	27	9	31	7	16	11	West Virginia	22	10	34	11	10	14
Minnesota	18	13	33	4	22	11	Wisconsin	16	13	34	8	23	6
Mississippi	21	3	40	9	25	1	Wyoming	8	11	33	13	16	20

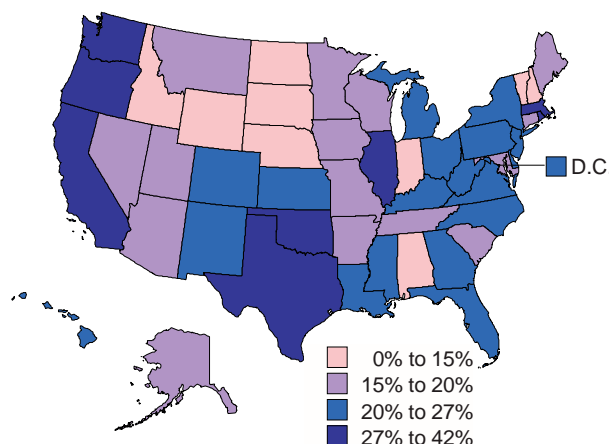
- Nationally, 25% of the juveniles in residential facilities were charged with Violent Crime Index offenses. States with the highest proportions of Violent Crime Index offenders were Massachusetts (41%), Oregon (41%), and California (38%). Vermont (6%), Nebraska (8%), North Dakota (8%), and Wyoming (8%) had the lowest proportions.
- Most States had a large proportion of property offenders. Nebraska led the Nation with 50%. New Jersey and the District of Columbia were the only jurisdictions with less than 20% property offenders.
- The proportion of juveniles held for drug offenses ranged from 34% in the District of Columbia to 1% in Alaska and Hawaii.

*State where the offense occurred.

Note: U.S. total includes 3,401 juveniles in private facilities for whom State of offense was not reported.

Source: Authors' analysis of data from OJJDP's *Census of Juveniles in Residential Placement 1997* [machine-readable data file].

Percent of juveniles held for Violent Crime Index offenses



States vary in the proportion of juveniles placed in private facilities—ranging from 1% to 64%

Nationally, 74% of juveniles are held in public facilities in the State where they committed their offense, 24% are held in in-State private facilities, and 2% are held in out-of-State private facilities

State*	Juveniles in custody	In-State		Out-of-State private facilities	State*	Juveniles in custody	In-State		Out-of-State private facilities
		Public facilities	Private facilities				Public facilities	Private facilities	
U.S. total	105,790	74%	24%	2%	Missouri	1,401	81%	19%	0%
Alabama	1,685	54	46	0	Montana	302	56	14	29
Alaska	352	75	25	0	Nebraska	741	69	22	10
Arizona	1,868	86	13	1	Nevada	857	97	3	0
Arkansas	603	59	41	0	New Hampshire	186	65	30	5
California	19,899	91	8	1	New Jersey	2,251	97	3	0
Colorado	1,748	48	40	12	New Mexico	778	95	4	1
Connecticut	1,326	74	24	2	New York	4,661	56	44	1
Delaware	311	67	5	28	North Carolina	1,204	89	10	0
Dist. of Columbia	265	65	32	3	North Dakota	272	36	58	6
Florida	5,975	50	48	2	Ohio	4,318	91	8	1
Georgia	3,622	85	15	0	Oklahoma	808	65	34	0
Hawaii	134	84	9	7	Oregon	1,462	80	20	0
Idaho	242	70	14	17	Pennsylvania	3,962	37	58	5
Illinois	3,425	93	5	2	Rhode Island	426	79	20	0
Indiana	2,485	66	31	2	South Carolina	1,583	88	12	0
Iowa	1,064	38	60	3	South Dakota	528	83	16	1
Kansas	1,242	67	32	0	Tennessee	2,118	57	43	0
Kentucky	1,079	75	25	0	Texas	6,898	86	13	0
Louisiana	2,776	63	36	0	Utah	768	52	42	6
Maine	318	80	16	4	Vermont	49	44	36	20
Maryland	1,498	51	48	1	Virginia	2,879	93	7	0
Massachusetts	1,065	35	64	0	Washington	2,216	94	6	0
Michigan	3,710	53	42	5	West Virginia	398	54	28	18
Minnesota	1,522	58	34	8	Wisconsin	2,013	70	30	0
Mississippi	756	99	0	1	Wyoming	340	50	49	1

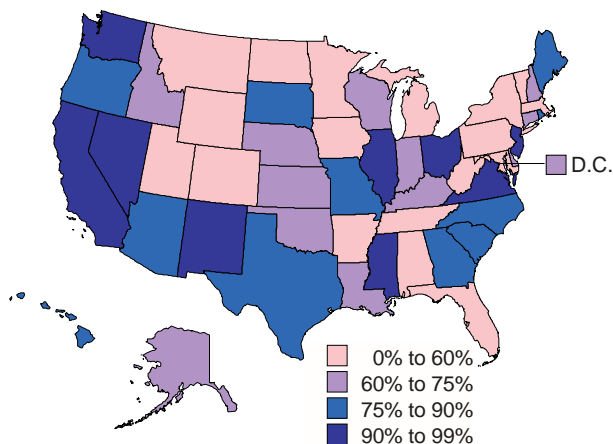
Percent of juveniles held in public in-State facilities

- Mississippi placed the largest proportion of juveniles in public in-State facilities (99%).
- Massachusetts placed the largest proportion of juveniles in private in-State facilities (64%).
- Montana placed the largest proportion of juveniles in out-of-State private facilities (29%).
- Among States placing juveniles in out-of-State private facilities, most placed more juveniles in private in-State facilities. The exceptions were Delaware, Idaho, and Montana: each placed more juveniles in out-of-State private facilities than in-State private facilities.

*State where the offense occurred.

Note: U.S. total includes 3,401 juveniles in private facilities for whom State of offense was not reported and 91 juveniles in out-of-State public facilities.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement 1997* [machine-readable data file].



Disproportionate minority confinement often stems from disparity at early stages of case processing

Federal requirements focus attention on disproportionate minority confinement

Under the “disproportionate minority confinement” requirement in the Juvenile Justice and Delinquency Prevention Act, States must determine whether the proportion of minorities in confinement exceeds their proportion in the population. If such overrepresentation is found, States must demonstrate efforts to reduce it.

Overrepresentation, disparity, and discrimination have different meanings

Overrepresentation refers to a situation in which a larger proportion of a particular group is present at various stages within the juvenile justice system (such as intake, detention, adjudication, and disposition) than would be expected based on their proportion in the general population.

Disparity means that the probability of receiving a particular outcome (for example, being detained in a short-term facility vs. not being detained) differs for different groups. Disparity may in turn lead to overrepresentation.

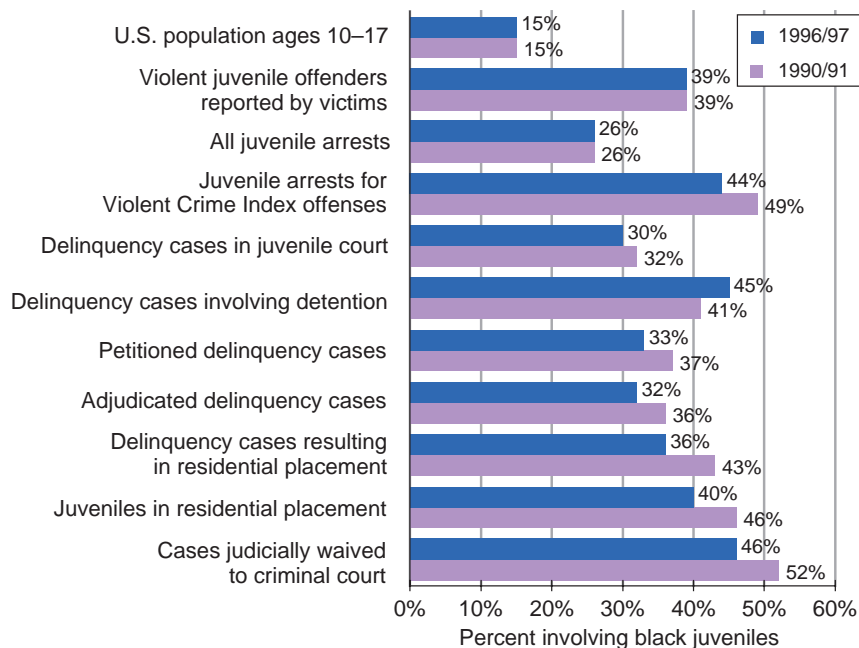
Discrimination occurs if and when juvenile justice system decisionmakers treat one group of juveniles differently from another group of juveniles based wholly, or in part, on their gender, racial, and/or ethnic status.

Neither overrepresentation nor disparity necessarily implies discrimination

One possible explanation for disparity and overrepresentation is, of course, discrimination. This line of reasoning suggests that because of discrimination on the part of justice system decisionmakers, minority youth face higher probabilities of being arrested by the police, referred to court intake, held in short-term detention, petitioned for formal processing, adjudicated delinquent, and confined in a secure juvenile facility. Thus, differential actions throughout the justice system may account for minority overrepresentation.

Disparity and overrepresentation, however, can result from factors other than discrimination. Factors relating to the nature and volume of crime committed by minority youth may explain disproportionate minority confinement. This line of reasoning suggests that if minority youth commit proportionately more crime than white youth, are involved in more serious incidents, and have more extensive criminal histories, they will be overrepresented in secure facilities, even if no

Black juveniles are overrepresented at all stages of the juvenile justice system, compared with their proportion in the population



■ Nationally, for most stages of juvenile justice system processing, the black proportion was smaller in 1996/97 than in 1990/91.

Sources: Authors' analysis of Bureau of the Census' *Estimates of the population of States by age, sex, race, and Hispanic origin: 1990–1997* [machine-readable data files] for 1991 and 1997, Bureau of Justice Statistics' *National Crime Victimization Survey* [machine-readable data files] for 1991 and 1996, FBI's *Crime in the United States* reports for 1991 and 1997, OJJDP's *Juvenile court statistics* reports for 1991 and 1996, OJJDP's *Children in Custody Census of public and private juvenile detention, correctional, and shelter facilities 1990/91* [machine-readable data file], and OJJDP's *Census of Juveniles in Residential Placement 1997* [machine-readable data file].

discrimination by system decision-makers occurred. Thus, minority youth may be overrepresented within the juvenile justice system because of behavioral and legal factors.

In any given jurisdiction, either or both of these causes of disparity may be operating. Detailed data analysis is necessary to build a strong case for one or the other causal scenario. On a national level, such detailed analysis is not possible with the data that are available. For example, national data use broad offense categories—such as robbery, which includes both felony and nonfelony robberies. More severe outcomes would be expected for juveniles charged with felony robbery. Disparity in decisions regarding transfer to criminal court would result if one group of offenders had a higher proportion of felony robberies than another group (since transfer provisions are often limited to felony offenses). The national data, however, do not support analysis that controls for offense at the felony/nonfelony level of detail. Similarly, although prior criminal record is the basis for many justice system decisions, criminal history data are not available nationally.

Thus, at the national level, questions regarding the causes of observed disparity and overrepresentation remain unanswered.

There is substantial evidence of widespread disparity in juvenile case processing

While research findings are not completely consistent, data available for most jurisdictions across the country show that minority (es-

pecially black) youth are overrepresented within the juvenile justice system, particularly in secure facilities. These data further suggest that minority youth are more likely to be placed in public secure facilities, while white youth are more likely to be housed in private facilities or diverted from the juvenile justice system. Some research also suggests that differences in the offending rates of white and minority youth cannot explain the minority overrepresentation in arrest, conviction, and incarceration counts.

Further, there is substantial evidence that minority youth are often treated differently from majority youth within the juvenile justice system. In a review by Pope and Feyerherm of existing research literature, approximately two-thirds of the studies examined showed that racial and/or ethnic status did influence decisionmaking within the juvenile justice system. Since that review, a rather large body of research has accumulated across numerous geographic regions that reinforces these earlier findings. Thus, existing research suggests that race/ethnicity does make a difference in juvenile justice decisions in some jurisdictions at least some of the time.

Because juvenile justice systems are fragmented and administered at the local level, racial/ethnic differences exist in some jurisdictions but not in others. One would not expect research findings to be consistent, given variation across timeframes and regions.

Racial/ethnic differences occur at various decision points within the juvenile justice system

Pope and Feyerherm found that when racial/ethnic effects do occur, they can be found at any stage of processing within the juvenile justice system. Across numerous jurisdictions, however, a substantial body of research suggests that disparity is most pronounced at the beginning stages. The greatest disparity between majority and minority youth court processing outcomes occurs at intake and detention decision points. Existing research also suggests that when racial/ethnic differences are found, they tend to accumulate as youth are processed through the justice system.

Pope and Feyerherm found that research reveals substantial variation across rural, suburban, and urban areas. Correspondingly, the concept of “justice by geography” introduced by Feld suggests that there are marked differences in outcome depending on the jurisdiction in which the youth is processed. For example, cases in urban jurisdictions are more likely to receive severe outcomes at various stages of processing than are cases in non-urban areas. Because minority populations are concentrated in urban areas, this effect may work to the disadvantage of minority youth and result in greater overrepresentation.

In nearly all States, a disproportionate number of minorities were in residential placement in 1997

Minority proportion					Minority proportion				
State*	1997	Committed		Detained	State*	1997	Committed		Detained
	Juvenile population	Public	Private			Juvenile population	Public	Private	
U.S. total	34%	67%	55%	62%	Missouri	18%	40%	34%	64%
Alabama	35	69	58	60	Montana	13	29	19	—
Alaska	35	47	67	57	Nebraska	14	40	45	44
Arizona	43	63	45	56	Nevada	35	50	—	39
Arkansas	25	62	56	67	New Hampshire	4	12	12	—
California	59	81	70	70	New Jersey	37	88	—	79
Colorado	28	56	56	51	New Mexico	62	81	—	82
Connecticut	26	83	59	77	New York	41	87	51	81
Delaware	31	75	79	77	North Carolina	33	68	36	60
Dist. of Columbia	87	100	—	100	North Dakota	11	—	29	31
Florida	40	58	63	64	Ohio	18	49	38	51
Georgia	40	70	68	70	Oklahoma	26	49	51	60
Hawaii	76	89	—	—	Oregon	16	29	28	23
Idaho	13	25	12	4	Pennsylvania	18	63	66	51
Illinois	36	70	52	78	Rhode Island	18	63	38	49
Indiana	14	41	31	38	South Carolina	40	69	58	67
Iowa	7	42	23	27	South Dakota	17	43	—	46
Kansas	17	52	32	49	Tennessee	24	52	52	51
Kentucky	11	40	24	38	Texas	53	78	73	77
Louisiana	44	81	74	76	Utah	12	34	33	28
Maine	3	5	—	7	Vermont	3	—	—	—
Maryland	40	68	75	73	Virginia	32	64	63	66
Massachusetts	22	64	59	60	Washington	21	41	44	41
Michigan	23	56	57	61	West Virginia	5	28	27	26
Minnesota	12	46	42	59	Wisconsin	15	60	39	36
Mississippi	47	70	—	62	Wyoming	12	27	15	—

- Nationally, minorities accounted for 34% of the juvenile population in 1997.
- Minorities accounted for 67% of juveniles committed to public facilities nationwide—a proportion nearly twice their proportion of the juvenile population.
- Minorities accounted for 62% of juveniles detained nationwide.
- Minority proportions were somewhat lower for youth committed to private facilities than to public facilities.
- In seven States, the minority proportion of the *total* population of juveniles in residential placement was 75% or greater: California, Connecticut, Delaware, Louisiana, New Jersey, New Mexico, and Texas (map).

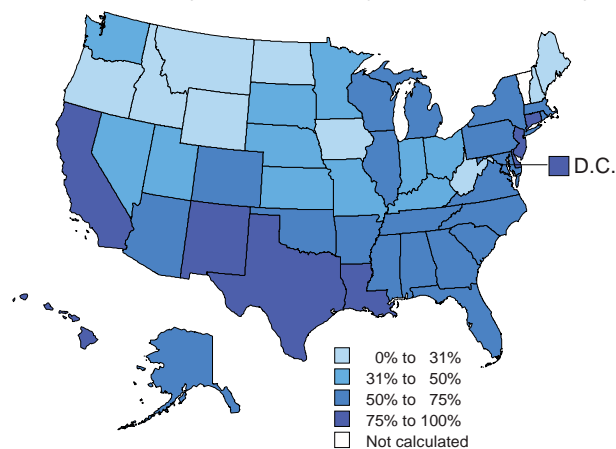
*State where the offense occurred.

— Too few juveniles in category to calculate a reliable percentage.

Note: U.S. total includes 3,401 juveniles in private facilities for whom State of offense was not reported. Minorities includes blacks, Hispanics, American Indians, Asians, and Pacific Islanders. The juvenile population is the number of juveniles ages 0–17.

Source: Authors' analysis OJJDP's *Census of Juveniles in Residential Placement 1997* [machine-readable data file].

Overall minority proportion of juveniles in custody



Minorities accounted for 7 in 10 youth held in custody for a violent offense

More than 6 in 10 juveniles in residential placement were minority youth

In 1997, two-thirds of all juveniles in custody in public facilities were minorities as were just over half of all juveniles in private facilities.

Race/ethnicity	Percent of juveniles in residential placement on October 29, 1997		
	Total	Public	Private
Total	100%	100%	100%
White	37	34	46
Minority	63	66	54
Black	40	40	39
Hispanic	18	21	11
Amer. Indian	2	1	2
Asian	2	2	2

The racial/ethnic profile of juveniles held in 1997 is similar to the profile of those held in 1995

Data from the 1995 CIC census show race proportions similar to those derived from the CJRP data.

Race/ethnicity	Percent of juveniles in custody on February 15, 1995		
	Total	Public	Private
Total	100%	100%	100%
White	37	32	53
Minority	63	68	47
Black	40	43	34
Hispanic	19	21	10
Amer. Indian	2	1	2
Asian	2	3	1

In 1995, more than two-thirds of all juveniles in custody in public facilities were minorities as were just under half of all juveniles in private facilities.

Non-Hispanic black juveniles account for 55% of juveniles in residential placement for robbery but only 30% of juveniles in residential placement for a status offense

Most serious offense	Percent of juvenile offenders in residential placement on October 29, 1997					
	Total	White	Black	Hispanic	American Indian	Asian
Total juveniles in residential placement	100%	37%	40%	18%	2%	2%
Delinquency	100	36	41	19	1	2
Person	100	31	43	21	1	3
Criminal homicide	100	19	44	30	2	5
Sexual assault	100	51	33	12	2	1
Robbery	100	16	55	24	1	3
Aggravated assault	100	26	41	26	2	4
Simple assault	100	41	38	16	2	2
Other person	100	41	40	15	1	2
Property	100	43	35	17	2	2
Burglary	100	46	32	18	2	2
Theft	100	45	37	15	1	1
Auto theft	100	36	38	20	2	3
Arson	100	52	29	17	1	1
Other property	100	42	38	16	1	2
Drug	100	23	56	19	1	1
Trafficking	100	14	64	21	<1	1
Other drug	100	26	54	18	1	1
Public order	100	38	38	20	2	2
Weapons	100	24	45	27	1	3
Other public order	100	48	33	15	2	2
Technical violation	100	40	37	19	2	1
Violent Crime Index*	100	27	45	23	1	3
Property Crime Index**	100	43	35	17	2	2
Status offense	100	59	30	7	2	1

■ Non-Hispanic black juveniles accounted for more than 6 in 10 juveniles in residential placement for drug trafficking and more than 5 in 10 in residential placement for other drug offenses.

■ Non-Hispanic white juveniles accounted for the majority of juveniles in residential placement for sexual assault, arson, and status offenses

Note: Race proportions do not include persons of Hispanic ethnicity. Detail may not total 100% because of rounding.

*Includes criminal homicide, sexual assault, robbery, and aggravated assault.

**Includes burglary, theft, auto theft, and arson.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement 1997* [machine-readable data file].

Fewer than 3 in 10 non-Hispanic white juveniles were placed for a person offense, compared with nearly 4 in 10 Hispanic juveniles and non-Hispanic black juveniles

Most serious offense	Percent of juvenile offenders in residential placement on October 29, 1997					
	Total	White	Black	Hispanic	American Indian	Asian
Total juveniles in residential placement	100%	100%	100%	100%	100%	100%
Delinquency	93	90	95	97	91	97
Person	33	28	36	38	32	45
Criminal homicide	2	1	2	3	2	5
Sexual assault	5	7	4	4	5	2
Robbery	9	4	12	12	6	15
Aggravated assault	9	6	9	13	10	16
Simple assault	6	7	6	5	8	5
Other person	2	2	2	2	1	2
Property	30	35	27	28	32	32
Burglary	12	14	10	12	13	13
Theft	7	8	6	5	6	4
Auto theft	6	6	6	7	8	10
Arson	1	1	1	1	1	1
Other property	4	5	4	4	3	4
Drug	9	5	12	9	4	4
Trafficking	3	1	5	3	0	1
Other drug	6	4	7	6	4	3
Public order	9	9	9	10	9	9
Weapons	4	3	4	6	3	5
Other public order	5	7	5	4	7	4
Technical violation	12	13	11	12	14	8
Violent Crime Index*	25	18	28	31	23	38
Property Crime Index**	26	30	22	24	29	28
Status offense	7	10	5	3	9	3

■ Robbery was the most serious offense for a greater proportion of black, Hispanic, and Asian juveniles than white or American Indian juveniles in residential placement.

■ Drug offenses were the most serious offense for a greater proportion of black juveniles than other juveniles in residential placement.

Note: Race proportions do not include persons of Hispanic ethnicity. Detail may not add to totals because of rounding.

*Includes criminal homicide, sexual assault, robbery, and aggravated assault.

**Includes burglary, theft, auto theft, and arson.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement 1997* [machine-readable data file].

Half of females in residential placement were minorities

Minorities were somewhat less disproportionate in the female custody population than in the male custody population.

Race/ethnicity	Percent of juveniles in residential placement on October 29, 1997		
	Total	Male	Female
Total	100%	100%	100%
White	37	36	49
Minority	63	64	51
Black	40	41	33
Hispanic	18	19	13
Amer. Indian	2	1	2
Asian	2	2	1

Females accounted for a slightly greater proportion of white than minority youth in custody

The female proportion of juveniles in residential placement varied by race and ethnicity. Females accounted for 18% of nonminority white juveniles in residential placement. Among minorities overall, females accounted for 11% of juveniles in residential placement; however, the female proportion was 21% for American Indians and only 9% for Hispanics and Asians.

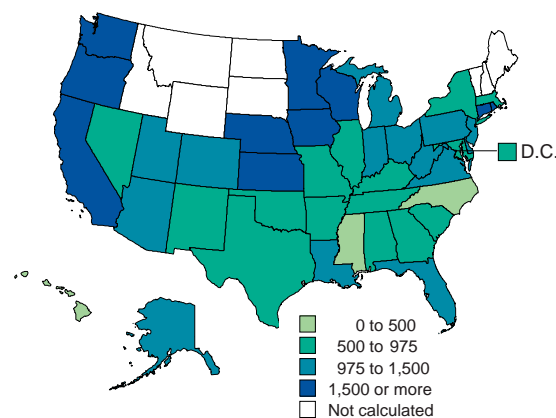
Race/ethnicity	Percent of juveniles in residential placement on October 29, 1997		
	Total	Male	Female
Total	100%	86%	14%
White	100	82	18
Minority	100	89	11
Black	100	89	11
Hispanic	100	91	9
Amer. Indian	100	79	21
Asian	100	91	9

Nationally, custody rates for black juveniles were substantially higher than rates for other groups

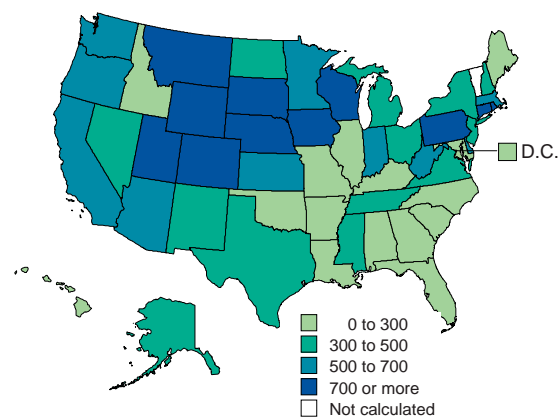
For every 100,000 non-Hispanic black juveniles in the population, 1,018 were in a residential placement facility on October 29, 1997—for Hispanics the rate was 515, and for non-Hispanic whites it was 204

Custody rate (per 100,000)						Custody rate (per 100,000)					
State*	White	Black	Hispanic	American		State*	White	Black	Hispanic	American	
				Indian	Asian					Indian	Asian
U.S. total	204	1,018	515	525	203	Missouri	168	741	241	43	69
Alabama	202	650	285	130	96	Montana	221	—	768	524	—
Alaska	289	1,055	372	734	352	Nebraska	234	1,754	716	1,417	177
Arizona	244	975	515	214	74	Nevada	382	942	448	1,250	297
Arkansas	106	533	111	0	45	New Hampshire	143	—	479	0	266
California	299	1,819	654	548	268	New Jersey	71	1,007	405	246	18
Colorado	238	1,397	705	617	206	New Mexico	169	905	498	220	251
Connecticut	160	2,225	1,276	—	90	New York	152	886	394	603	53
Delaware	132	1,195	582	0	0	North Carolina	108	435	32	140	97
Dist. Of Columbia	0	855	204	0	0	North Dakota	261	—	391	1,203	0
Florida	243	980	203	108	109	Ohio	205	1,105	404	315	83
Georgia	240	952	129	61	121	Oklahoma	123	688	214	282	59
Hawaii	65	212	74	—	120	Oregon	326	1,505	681	1,046	267
Idaho	139	—	160	330	236	Pennsylvania	137	1,348	929	—	148
Illinois	127	943	240	459	39	Rhode Island	220	1,799	1,287	—	592
Indiana	268	1,168	521	58	53	South Carolina	238	753	0	0	30
Iowa	239	2,250	736	1,700	243	South Dakota	356	—	2,401	1,204	—
Kansas	249	1,767	596	604	475	Tennessee	226	843	415	209	133
Kentucky	174	967	78	—	100	Texas	155	853	383	203	94
Louisiana	231	1,140	157	119	300	Utah	188	1,400	713	693	561
Maine	210	—	198	—	265	Vermont	66	—	—	0	0
Maryland	123	592	263	115	46	Virginia	204	997	355	230	174
Massachusetts	96	804	582	79	224	Washington	246	1,592	520	787	201
Michigan	205	1,171	406	293	305	West Virginia	156	1,230	511	—	—
Minnesota	155	1,676	515	1,690	417	Wisconsin	206	1,756	801	448	668
Mississippi	129	319	336	60	283	Wyoming	454	—	846	1,243	—

Custody rate for black juveniles



Custody rate for Hispanic juveniles



*State where the offense occurred.

— Too few juveniles in the population to calculate a reliable rate.

Note: The custody rate is the number of juveniles in residential placement per 100,000 juveniles ages 10 through the upper age of original juvenile court jurisdiction in each State. U.S. total includes 3,401 juveniles in private facilities for whom State of offense was not reported. Race rates do not include persons of Hispanic ethnicity.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement 1997* [machine-readable data file] and Bureau of the Census' *Estimates of the population of States by age, sex, race, and Hispanic origin: 1990–1997* [machine-readable data files].

Females represent a small share of juveniles in custody, but facilities must manage this unique population

Females accounted for 1 in 17 juveniles in residential placement

Although males are half of the juvenile population, three-quarters of juvenile arrests, and just over three-quarters of delinquency cases in juvenile court, males accounted for 86% of juveniles in residential placement in 1997. Females represented a greater proportion of detained juveniles (17%) than committed juveniles (12%). The female proportion of juveniles voluntarily admitted to residential placement under a diversion agreement was large by comparison (34%).

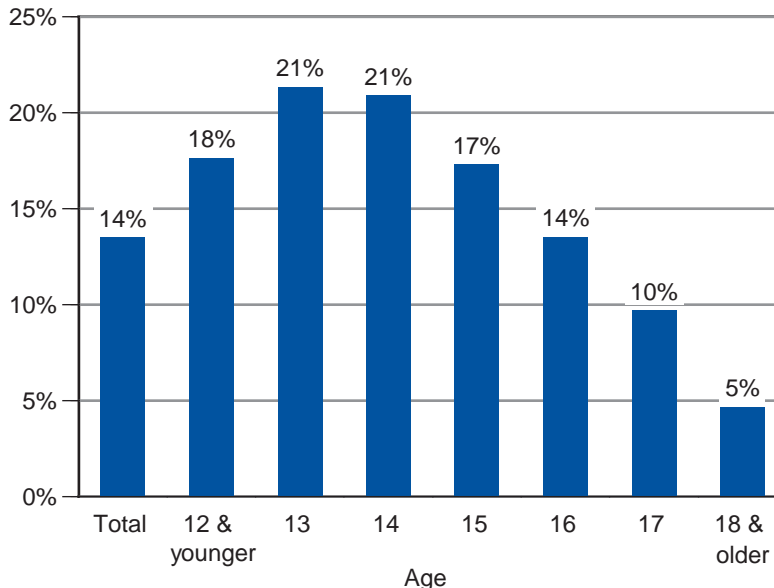
These proportions were different for public and private facility populations. Overall, the female proportion of residents was greater in private facilities (18%) than public facilities (12%). Females represented 23% of those detained in private facilities, compared with 16% of those detained in public facilities. Among the committed population, females made up just 9% of those in public facilities, compared with 17% of those in private facilities. Females accounted for 25% of those voluntarily admitted to public facilities under diversion agreements, compared with 38% in private facilities.

Females in residential placement tended to be younger than their male counterparts

Compared with males, females in residential placement had an age distribution that was skewed toward the younger ages. For example, 16% of males in placement were below age 15, while 26% of females were that young. Most females were ages 15 and 16, each ac-

The female proportion of the placement population was greatest among juveniles in their early teen years

Female proportion of juveniles in residential placement



■ After age 13, the female proportion of the residential placement population diminished with age.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement 1997* [machine-readable data file].

counting for more than one-quarter of all females in placement facilities. Most males were 16 and 17.

Age	Percent of juveniles in residential placement on October 29, 1997		
	Total	Male	Female
Total	100%	100%	100%
12 & younger	2	2	3
13	4	4	7
14	11	10	17
15	20	19	26
16	27	27	27
17	23	24	17
18 & older	12	14	4

The racial/ethnic profile for females was different from that for males

Half of female juveniles in residential placement were non-Hispanic whites. Among males, non-Hispanic blacks were the largest proportion.

Race/ethnicity	Percent of juveniles in residential placement on October 29, 1997		
	Total	Male	Female
Total	100%	100%	100%
White	37	36	49
Black	40	41	33
Hispanic	18	19	13
Other	4	4	5

The female proportion of juveniles in custody was smaller for minorities than for whites

Females accounted for a smaller proportion of minorities overall (11%) than of nonminority whites (18%) in residential placement, although this was not true for all minority groups. The female proportion was 21% for American Indians, 11% for blacks, and 9% for Hispanics and Asians.

Female proportions varied substantially across offenses

Overall, 11% of juveniles in residential placement for delinquency offenses were female. The female proportion was 1 in 5 for driving under the influence, non-Index person offenses, and technical violations of the conditions of probation, parole, or a valid court order. For offenses such as weapons violations and drug trafficking, females constituted just 1 in 20 juveniles held. For other offenses, the female proportion was about 1 in 10.

In comparison, females represented 47% of juveniles in residential placement facilities for status offenses. As with the delinquency offense categories, there was variation across status offense categories in the proportion of females. Females constituted 63% of runaways, 47% of truants, 44% of incorrigibles, 35% of those held for underage alcohol offenses, and 28% of curfew violators.

The population of minority females in placement, although small, had a large proportion of person offenders

A smaller proportion of non-Hispanic white females than minority females were held for a person offense. The proportion of black females in placement for person offenses was, in fact, comparable to the proportion for black males and even higher than the proportion for white males.

Females were less likely than males to be held for Violent Index or Property Index offenses

Most serious offense	Offense profile for juvenile offenders in residential placement on October 29, 1997					
	All facilities		Public		Private	
	Male	Female	Male	Female	Male	Female
Total	91,471	14,319	67,446	8,889	24,025	5,430
	100%	100%	100%	100%	100%	100%
Delinquency	96	77	99	91	89	55
Person	35	25	37	29	29	19
Violent Index*	27	13	30	16	19	7
Other person	8	12	7	13	10	12
Property	31	23	31	25	33	19
Property Index**	27	19	27	21	28	16
Other property	5	4	4	4	5	3
Drug	9	5	9	5	10	5
Trafficking	3	1	3	1	3	1
Other drug	6	4	6	4	7	5
Public order	10	7	9	9	10	4
Technical violation	11	17	12	23	7	7
Status offense	4	23	1	9	11	45

■ Nearly one-quarter of females in residential placement were held for a status offense. For females in private facilities, the proportion of status offenders was nearly half.

■ Females in public facilities were more likely to be held for a person offense than females in private facilities.

*Includes criminal homicide, sexual assault, robbery, and aggravated assault.

**Includes burglary, theft, auto theft, and arson.

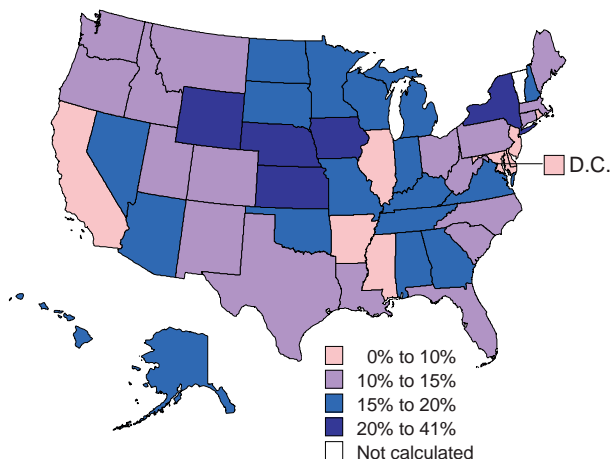
Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement 1997* [machine-readable data file].

Sex/offense	Percent of juveniles in residential placement on October 29, 1997		
	White	Black	Hispanic
Females			
Delinquency	100%	100%	100%
Person	27	39	35
Violent Index	12	21	21
Other person	16	17	15
Property	33	25	26
Drug	7	6	8
Public order	9	9	9
Technical violation	23	21	22
Males			
Delinquency	100%	100%	100%
Person	31	38	39
Violent Index	22	30	33
Other person	9	8	7
Property	40	28	29
Drug	6	14	9
Public order	11	9	10
Technical violation	13	11	12

In nearly all States, females represented a relatively small proportion of juveniles in residential placement in 1997; their proportion was generally larger in private than in public facilities

State*	Female proportion				State*	Female proportion			
	Overall	Committed Public	Private	Detained		Overall	Committed Public	Private	Detained
U.S. total	14%	9%	17%	17%	Missouri	16%	14%	19%	12%
Alabama	17	15	19	19	Montana	15	10	16	—
Alaska	20	16	21	19	Nebraska	25	22	26	26
Arizona	15	11	24	20	Nevada	19	14	—	22
Arkansas	9	4	12	15	New Hampshire	18	12	31	—
California	9	6	16	13	New Jersey	8	4	—	12
Colorado	14	2	16	17	New Mexico	11	9	—	17
Connecticut	13	4	26	28	New York	20	13	26	24
Delaware	7	1	7	10	North Carolina	15	12	31	18
Dist. of Columbia	8	9	—	10	North Dakota	19	—	20	18
Florida	11	3	8	19	Ohio	13	10	15	18
Georgia	17	9	25	23	Oklahoma	16	8	17	23
Hawaii	16	14	—	—	Oregon	14	10	14	26
Idaho	12	10	4	24	Pennsylvania	13	7	14	16
Illinois	7	7	9	8	Rhode Island	10	8	10	17
Indiana	20	21	11	27	South Carolina	14	14	12	18
Iowa	21	10	28	15	South Dakota	17	14	—	19
Kansas	22	16	44	13	Tennessee	19	16	16	30
Kentucky	17	12	27	19	Texas	10	5	27	16
Louisiana	13	14	11	14	Utah	14	10	16	14
Maine	13	11	—	10	Vermont	—	—	—	—
Maryland	9	6	3	16	Virginia	17	13	25	21
Massachusetts	13	0	15	16	Washington	13	11	13	19
Michigan	16	16	19	12	West Virginia	12	1	9	17
Minnesota	17	9	22	18	Wisconsin	16	11	17	32
Mississippi	6	5	—	14	Wyoming	41	48	28	—

Overall female proportion of juveniles in custody



- Nationally, females accounted for 14% of juveniles in residential placement on October 29, 1997.
- The female proportion of committed juveniles in private facilities was nearly twice that in public facilities (17% vs. 9%).
- Wyoming had the greatest proportion of females (41%) among juveniles in residential placement.
- In several States, females represented less than 10% of juveniles in residential placement: Arkansas, California, Delaware, Illinois, Maryland, Mississippi, New Jersey, and Vermont.

*State where the offense occurred.

— Too few juveniles in category to calculate a reliable percentage.

Note: U.S. total includes 3,401 juveniles in private facilities for whom State of offense was not reported.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement 1997* [machine-readable data file].

On the 1997 census day, person offenders had been committed or detained longer than other juveniles

Developing information on the length of time juveniles spend in residential placement is difficult

Information on length of stay is key to understanding the justice system's handling of juveniles in residential placement. Ideally, length of stay would be calculated for individual juveniles by combining their days of stay in residential placement from their first admission to their last release relating to a particular case. These individual

lengths of placement could then be averaged for different release cohorts of juveniles (cohorts could be identified by year of release, offense, facility, adjudication status, or demographic characteristics).

Because the CIC census was a facility-level, rather than an individual-level, data collection, it did not support such individual-level length of stay analysis. Information on average length of stay developed from CIC data was based on facility aver-

ages weighted by the number of releases reported for the year by facilities. The CIC average stay information did not capture complete length of placement for juveniles who stayed at more than one facility during the course of their disposition.

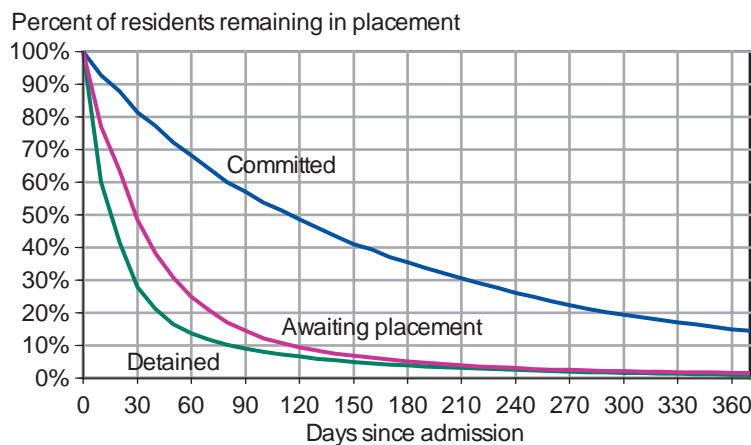
Nevertheless, CIC reported that the average length of stay for juveniles released from public facilities in 1994 was 2 weeks for those who had been detained and 5 months for those who had been committed. Juveniles in private facilities (primarily a committed population) stayed an average of 3.5 months.

The CJRP provides individual-level data on time spent in placement

The CJRP captures information on the number of days since admission for each juvenile in residential placement. These data represent the number of days the juvenile had been in the facility up to the reference date of the census (October 29, 1997). Because the data are not based on a release cohort, the complete length of stay cannot be determined. As with the CIC census, the CJRP data reflect only a juvenile's placement at one facility and not multiple placements in multiple facilities. Nevertheless, the CJRP provides an overall profile of the time juveniles had been in the facility at the time of the census—a 1-day snapshot of time in the facility.

Because CJRP data are individual-level rather than facility-level, more differentiated averages can be calculated. In addition, the data support the development of pictures of the proportion of residents remaining after a certain number of days. This sort of analysis provides juve-

One-third of committed juveniles, but less than 5% of detained juveniles, remained in placement 6 months after admission



- Among juveniles detained while awaiting adjudication or disposition, 70% had been in placement in the facility for at least 7 days, 50% for at least 15 days, and 28% for at least 30 days. By 60 days, only 14% of these detained juveniles remained in placement; and by 90 days, less than 10% remained.
- Among juveniles awaiting placement elsewhere, 69% had been in the facility at least 15 days, 48% for at least 30 days. By 60 days, 25% remained; and after 90 days, 15% remained.
- Among committed juveniles (those adjudicated, disposed, and placed in the facility), 90% had been in the facility at least 15 days, 81% at least 30 days, 68% at least 60 days, and 57% at least 90 days. After a full year, 15% of committed juveniles remained in placement.

Note: Juveniles awaiting placement elsewhere are distinguished here but are included in the detained category for all other analyses.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement 1997* [machine-readable data file].

nile justice policymakers with a useful means of comparing the time spent in placement for different categories of juveniles.

Residents' average time in the facility varied by facility type and placement status

Juveniles committed to public facilities had been in placement longer on average than juveniles committed to private facilities. In public facilities, the average time in the facility for committed juveniles was 192 days. In private facilities, committed juveniles had been in the facility an average of 174 days.

The reverse pattern was found for the detained population: juveniles detained in private facilities had been in the facility longer on average than those detained in public facilities (70 days vs. 37 days).

Among juveniles voluntarily admitted under a diversion agreement, those in private placement had been in the facility an average of 195 days. Those in public placement had been in the facility an average of 25 days.

Males had been in facilities longer on average than females

Among committed juveniles, the difference between the average time in the facility for males and females was more than 3 weeks. Committed males had been in the facility more than 6 months on average (189 days), compared with an average of 165 days for committed females.

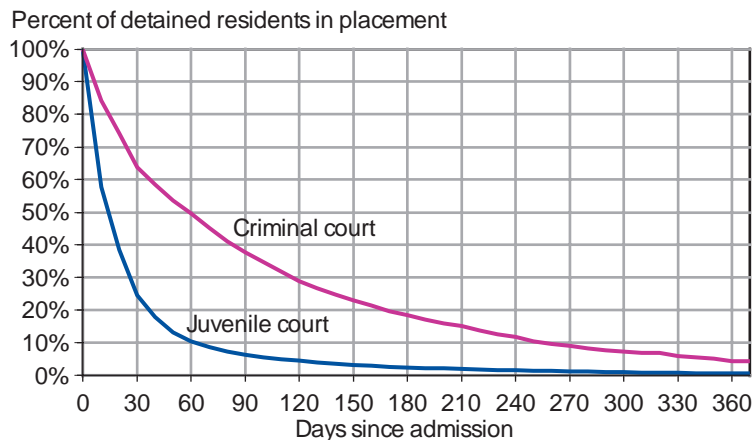
Detained males had been in the facility an average of 42 days, compared with an average of 32 days for detained females.

Minorities had been in facilities longer than nonminority whites

Among committed juveniles, minorities had been in the facility an average of 193 days. In comparison, committed nonminority whites had been in the facility an average of 174 days—2 weeks less.

A similar pattern was found among detained juveniles. Detained minority juveniles had been in the facility an average of 1 week longer than nonminority whites (43 days vs. 36 days).

Juveniles transferred to criminal court or awaiting transfer remained in detention longer than those awaiting juvenile court adjudication or disposition

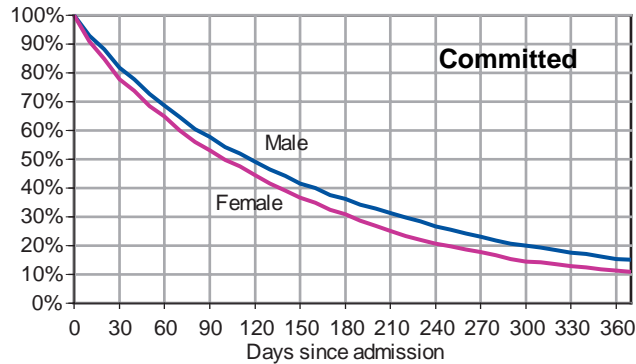


- Among juveniles detained while awaiting adjudication or disposition in juvenile court, 69% had been in the facility for at least 7 days, 49% at least 14 days, and 25% at least 30 days. By 60 days, only 11% remained in the facility; and by 90 days, 6% remained.
- Among detained juveniles awaiting a transfer hearing or awaiting criminal court processing, 89% had been in the facility for at least 7 days, 80% at least 14 days, and 64% at least 30 days. At 60 days, 50% remained in the facility, and by 90 days, 38% remained. After 6 months, nearly 20% remained; and after a full year, 4% remained.

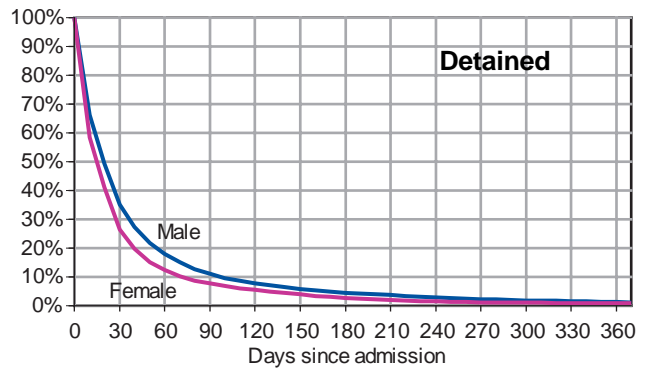
Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement 1997* [machine-readable data file].

Half of committed females had been in the facility at least 14 weeks—half of committed males had been held at least 17 weeks

Percent of residents remaining in placement



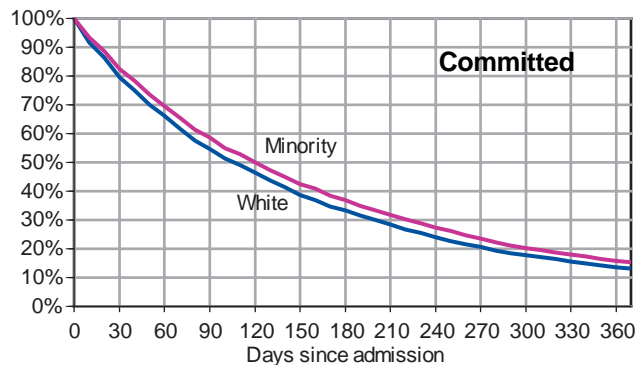
Percent of residents remaining in placement



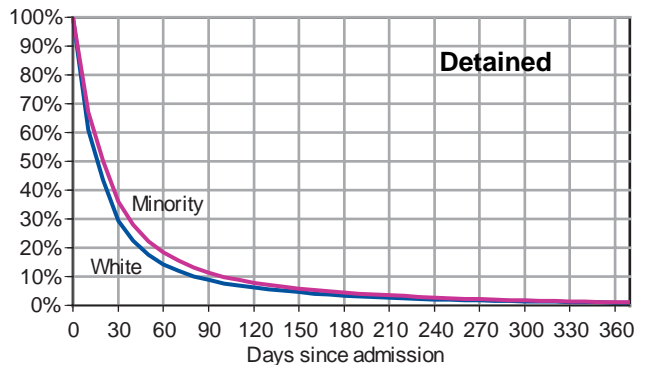
- Among committed juveniles, 36% of males had been in the facility at least 180 days compared with 31% of females.
- Among the detained population, 35% of males had been in the facility at least 30 days compared with 26% of females.

Half of committed minority juveniles had been in the facility at least 17 weeks—half of committed whites had been held at least 15 weeks

Percent of residents remaining in placement



Percent of residents remaining in placement



- Among committed juveniles, 37% of minority juveniles had been in the facility at least 180 days, compared with 33% of nonminority white juveniles.
- Among the detained population, 36% of minority juveniles had been in the facility at least 30 days, compared with 29% of nonminority white juveniles.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement 1997* [machine-readable data file].

Juveniles held for violent offenses had been in placement longer on average than other juveniles

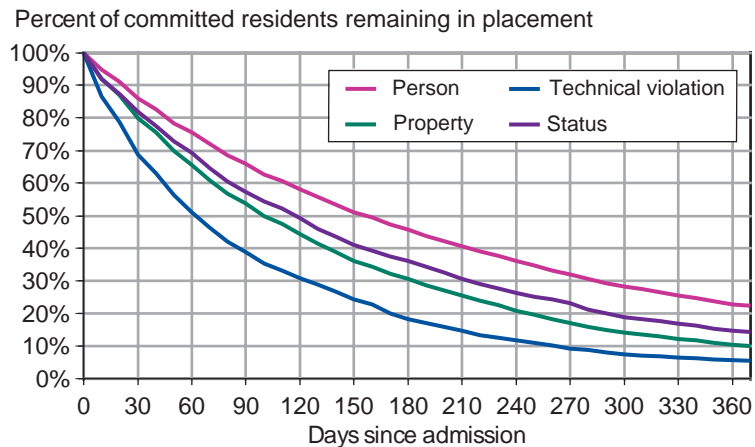
Overall, committed delinquents had been in the facility an average of just over 6 months (186 days). The average time in the facility was the same for committed status offenders. Juveniles committed for Violent Crime Index offenses, in comparison, had been in the facility an average of nearly 9 months (266 days).

Among detained juveniles, the pattern was similar. Detained delinquents had been in the facility an average of 40 days, detained status offenders an average of 49 days; but the average for juveniles detained for Violent Crime Index offenses was 64 days.

Demographic differences in time in the facility reflect differences in offense profiles

The findings that on the 1997 census day male and minority youth had been in placement longer than their female and nonminority white counterparts are attributable to differences in offense profiles: males and minorities had larger proportions of person offenders, particularly violent person offenders, in their populations. Within individual offense categories, demographic differences in time in the facility were negligible.

Committed person offenders and status offenders had been in placement longer than other types of offenders



- The curves for the percent of committed drug and public order offenders remaining in placement were largely overlapping with the curve for property offenders.
- Among committed juveniles, 46% of person offenders had been in the facility at least 180 days.
- The proportion of juveniles remaining in placement at least 180 days was larger for committed status offenders than for delinquents other than person offenders: 36% of committed status offenders and 31% of committed property offenders had been in the facility at least 180 days. A smaller proportion of juveniles committed for technical violations (18%) had been in the facility that long.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement 1997* [machine-readable data file].

7 in 10 juveniles in residential placement were held under locked rather than staff-secure arrangements

Security arrangements varied by the type of facility and the type of juvenile involved

National accreditation standards for juvenile facilities express a preference for relying on staff, rather than on hardware, to provide security. The guiding principle is to house juveniles in the “least restrictive placement alternative.” Staff security measures include periodically taking counts of the youth in custody, using classification and separation procedures, and maintaining an adequate ratio of security staff to juveniles.

For each juvenile reported to the CJRP, respondents were asked about the “locked doors and/or gates [that] confined THIS young person within the facility and its grounds during the afterschool, day-time hours on October 29, 1997.” Overall, facilities reported that 7 in 10 juveniles in residential placement were confined during afterschool hours by at least one locked door or gate. The vast majority of juveniles in residential placement in public facilities were confined under locked arrangements. For juveniles in private facilities, the reverse was true.

Type of facility	Percent of juveniles in residential placement on October 29, 1997		
	Total	Locked	Staff-secure
Total	100%	71%	29%
Public	100	86	14
Private	100	30	70

Nearly 4 in 10 committed juveniles and nearly 1 in 10 detained juveniles were confined by means of staff security only.

Type of placement	Percent of juveniles in residential placement on October 29, 1997		
	Total	Locked	Staff-secure
Committed	100%	64%	36%
Detained	100	91	9
Other	100	44	56

The use of locked doors or gates varied by offense category. Juveniles held for Violent Crime Index offenses and technical violations were the most likely to be held behind locked doors. Unlike juveniles held for delinquency offenses, those in residential placement for status offenses were more likely to be confined under staff-secure than under locked arrangements.

Offense	Percent of juveniles in residential placement on October 29, 1997		
	Total	Locked	Staff-secure
Delinquency	100%	74%	26%
Person	100	77	23
Violent Index	100	80	20
Other	100	65	35
Property	100	70	30
Index	100	71	29
Other	100	67	33
Drugs	100	68	32
Trafficking	100	76	24
Other	100	64	36
Public order	100	73	27
DUI	100	58	42
Weapons	100	75	25
Other	100	72	28
Technical violation	100	81	19
Status	100	25	75

Minority juveniles were more likely than nonminority juveniles to be confined behind locked doors. Among minorities, black and Hispanic juveniles were more likely to be confined behind locked doors than were other minorities.

Race/ethnicity	Percent of juveniles in residential placement on October 29, 1997		
	Total	Locked	Staff-secure
White	100%	64%	36%
Minority	100	75	25
Black	100	75	25
Hispanic	100	77	23
Amer. Indian	100	66	34
Asian	100	69	31

There was less overrepresentation of minorities among the population of juveniles who were confined under staff-secure arrangements than among those who were locked in.

Race/ethnicity	Percent of juveniles in residential placement on October 29, 1997		
	Total	Locked	Staff-secure
Total	100%	100%	100%
White	37	34	46
Minority	63	66	54
Black	40	42	34
Hispanic	18	20	15
Amer. Indian	2	1	2
Asian	2	2	2

Juveniles age 12 or younger were substantially less likely than older juveniles to be held behind locked doors (57% vs 71%). Nevertheless, a substantial proportion of juveniles under the age of 13 in residential placement were locked in.

Crowding in juvenile custody facilities affects a substantial proportion of juveniles in custody

Many more juveniles were held in crowded secure public facilities in 1995 than in 1991

The CJRP does not collect data on facility crowding. The CIC census, however, collected information on facility design capacity, which together with facility population data provided a measure of crowding.

Crowding in juvenile facilities has increased as the juvenile custody population has grown. Since the vast majority of juveniles in custody are held in secure public facilities, such as detention centers and training schools, even small increases in crowding in these facilities affect a large number of juveniles.

In 1995, half of all public *detention centers* were operating above their design capacity. These crowded facilities held nearly three-quarters of residents in public detention centers. In comparison, one-third of detention centers were crowded in 1991, and they held about half of detention center residents that year. The increase in the number of overcapacity public detention facilities meant that there were 7,400 more residents in crowded detention centers in 1995 than in 1991—a rise of nearly 75%.

The situation was much the same in public *institutional facilities* for long-term placements (such as training schools). Although the proportion of such facilities that were operating above their design capacity stayed constant (about 45% in 1991 and 1995), the number of residents held in crowded facilities increased substantially. Public long-term institutional facilities that were overcapacity held more than 70% of public long-term institutional residents in 1995, compared with 62% in 1991.

Nearly 70% of public facility residents were held in facilities operating above their design capacity on February 15, 1995

Design capacity	All public facilities		Residents	
	Total	Percent operating above design capacity	Total	Percent held in facilities operating above design capacity
All public facilities	1,080	40%	69,929	69%
Fewer than 31 residents	595	21	8,543	29
31–110 residents	324	58	18,506	59
111–200 residents	90	63	13,141	66
201–350 residents	39	82	10,075	82
More than 350 residents	32	88	19,664	91

- In 1995, 40% of public facilities housed more residents than they were constructed to hold—a greater proportion than in 1991 (36%).
- The larger a facility's design capacity, the more likely it was to be operating overcapacity.
- Facilities designed for fewer than 110 residents accounted for nearly three-quarters of overcapacity facilities.

Compared with public facilities, a substantially smaller proportion of private facilities were crowded on February 15, 1995

Design capacity	All private facilities		Residents	
	Total	Percent operating above design capacity	Total	Percent held in facilities operating above design capacity
All private facilities	1,989	8%	39,706	15%
Fewer than 31 residents	1,694	7	17,377	10
31–110 residents	259	14	14,078	16
111–200 residents	25	20	3,672	17
201–350 residents	5	20	1,345	19
More than 350 residents	6	33	3,234	32

Note: Design capacity is the number of residents a facility is constructed to hold without double bunking in single rooms and without using areas not designed as sleeping quarters to house residents.

Source: Authors' analysis of OJJDP's *Children in Custody Census 1994/95* [machine-readable data files].

There were 10,000 more residents in overcapacity training schools and other public long-term institutional facilities in 1995 than in 1991—an increase of more than 55%.

Federal requirements to deinstitutionalize status offenders have been effective

The Juvenile Justice and Delinquency Prevention Act prohibits secure placement of status offenders and nonoffenders

The Juvenile Justice and Delinquency Prevention Act of 1974, as amended, states that “juveniles . . . charged with or who have committed offenses that would not be criminal if committed by an adult or offenses which do not constitute violations of valid court orders, or alien juveniles in custody, or such nonoffenders as dependent or neglected children, shall not be placed in secure detention facilities or secure correctional facilities. . . .”

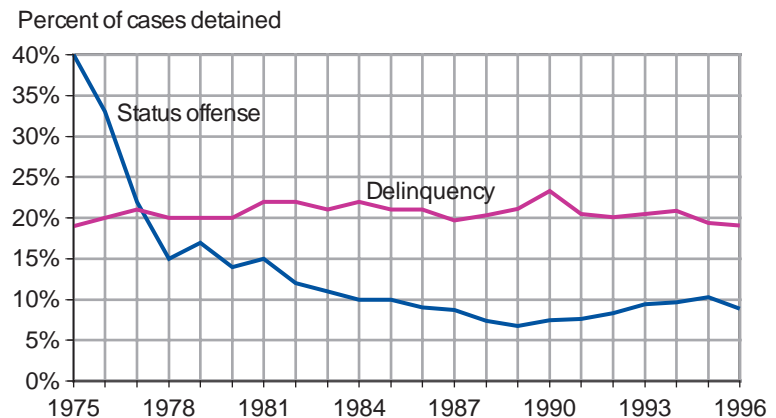
Federal regulations have interpreted the Act to permit accused status offenders and nonoffenders to be held in secure juvenile facilities for up to 24 hours following initial contact with the police or the court.

Of detained status offenders, 4 in 10 were runaways

Among status offenders detained in public facilities in 1997, those held for running away made up the largest proportion, followed by those held for incorrigibility.

Most serious offense	Offense profile of 1997 detained status offenders in public detention centers
Runaway	40%
Incorrigibility	22
Truancy	9
Underage drinking	8
Curfew violation	6
Other status offense	15

Court data show a substantial decline in the use of detention in status offense cases



- In 1975, status offense cases were twice as likely as delinquency cases to involve secure detention between the time of referral to court and case disposition.
- By 1992, the likelihood that a status offense case would involve detention was less than half that for delinquency cases.
- In 1975, an estimated 143,000 status offense cases involved detention—in 1996, the figure was 39,100. It is not known how many of these were in violation of the 24-hour rule.

Source: Authors' adaptation of NCJJ's *National Juvenile Court Data Archive: Juvenile court case records* for the years 1975–1996 [machine-readable data files].

One-quarter of status offenders in residential placement were locked in for afterschool hours

Although 75% of status offenders in residential placement were confined under staff-secure arrangements, 25% were confined during afterschool hours by at least one locked door or gate. Status offenders in residential placement for curfew violations or underage drinking were more likely than other status offenders to be confined under locked arrangements; status offenders placed for incorrigibility were the least likely.

Most serious offense	Proportion confined under locked arrangements during afterschool hours
Status offenders	25%
Curfew violation	40
Underage drinking	39
Runaway	28
Truancy	21
Incorrigibility	18

In 1997, the 1-day count of youth under age 18 held in local adult jails was 9,100

The number of youth under 18 in jails rose 35% from 1994 to 1997

According to the Bureau of Justice Statistics' Annual Survey of Jails, an estimated 9,100 youth under the age of 18 were held in adult jails on June 30, 1997—about 2% of the total jail population. The 1-day count of under-18 jail inmates in 1997 was 12% greater than the figure a year earlier and more than 35% greater than the 1994 figure. The majority of youth under age 18 held in adult jails were held as adults. Although they accounted for a smaller proportion of under-18 jail inmates, the number of

inmates under 18 who were being held *as juveniles* rose 50% from 1994 to 1996, then dropped 12% in 1997. In comparison, the overall 1-day count of jail inmates grew 7% from 1994 to 1996 and another 9% in 1997.

Prior to 1994, the Annual Survey of Jails counted the number of jail inmates initially subject to juvenile court authority as *juvenile offenders even if they were tried as adults in criminal court*. In 1985, an estimated 1,630 such juveniles were held in adult jails. By 1992, the estimate had risen to 2,800.

Over three-quarters of youth under age 18 in adult jails in June 1997 were convicted or awaiting trial as adult criminal offenders

	1994	1995	1996	1997
Jail inmates under age 18	6,700	7,800	8,100	9,100
Held as adults	5,100	5,900	5,700	7,000
Held as juveniles*	1,600	1,800	2,400	2,100

* It is not known how many of these juveniles were jailed in violation of the Juvenile Justice and Delinquency Prevention Act's requirement and how many were held pursuant to its exceptions.

Note: Estimates are for June 30, 1994, 1995 and 1997, and June 29, 1996.

Source: Authors' adaptation of Gilliard and Beck's Prison and jail inmates at midyear 1997, *BJS Bulletin*.

Recent rules change the Juvenile Justice and Delinquency Prevention Act jail removal requirement

Regulations effective December 10, 1996, modify Juvenile Justice and Delinquency Prevention Act requirements in several ways:

- Clarify the sight and sound separation requirement and provide that brief and inadvertent or accidental contact in nonresidential areas is not a reportable violation.
- Permit time-phased use of program areas in collocated facilities.
- Expand the 6-hour hold exception to include 6 hours before and after court appearances.
- Allow adjudicated delinquents to be transferred to adult institutions once they have reached the State's age of full criminal responsibility, where such transfer is expressly authorized or required by State law.

The revised regulations are intended to offer flexibility to States in carrying out the Act's requirements.

The Juvenile Justice and Delinquency Prevention Act limits the placement of juveniles in adult facilities

The Act states that "... juveniles alleged to be or found to be delinquent and [status offenders and nonoffenders] shall not be detained or confined in any institution in which they have contact with adult[s] incarcerated because they have been convicted of a crime or are awaiting trial on criminal charges. . . ." This provision of the Act is commonly referred to as the "sight and sound separation" requirement. The Act also states that "... no juvenile shall be detained or confined in any jail or lockup for adults. . . ." This provision is known as the jail and lockup removal requirement.

Regulations implementing the Act exempt juveniles being tried as criminals for felonies or who have been convicted as criminal felons from the jail and lockup removal requirement. In institutions other than adult jails or lockups or in jails and lockups under temporary hold exceptions, confinement of juvenile offenders is permitted if juveniles and adult inmates cannot see each other and no conversation between them is possible. This reflects the "sight and sound separation" requirement.

There are two temporary hold exceptions to jail and lockup removal: a 6-

hour grace period that allows adult jails and lockups to hold alleged delinquents in secure custody until other arrangements can be made; and a 24-hour exception, exclusive of weekends and holidays, for rural facilities that meet statutory conditions.

Some jurisdictions have established juvenile detention centers that are collocated with adult jail facilities or lockups. A collocated juvenile detention facility must meet specific criteria to establish that it is a separate and distinct facility.

Males, 17-year-olds, minorities, and person offenders predominate among youth sent to adult prisons

Youth under age 18 accounted for 2% of new court commitments to State adult prisons

Thirty-six States (containing 81% of the 1996 U.S. population ages 10–17) contributed data for 1992–1996 to the National Corrections Reporting Program (NCRP). These States reported approximately 5,600 new court commitments to their adult prison systems involving youth under 18. These youth accounted for nearly 2% of all new court commitments. Nearly 3 in 4 of these youth were 17 years old at admission. States with an upper age of juvenile jurisdiction below 17 accounted for half of all under-18 admissions.

The under-18 proportion of new admissions varied by offense

Under-18 youth accounted for 4% of new admissions for person offenses, 7% of new admissions for robbery, 5% of those for murder, and 3% of those for aggravated assault and weapons offenses. For all other offense categories, the under-18 proportion was 2% or less.

New court commitments to State prison:

Most serious offense	Under-18 proportion
All offenses	2%
Person	4
Murder	5
Sexual assault	1
Robbery	7
Aggravated assault	3
Property	2
Burglary	2
Larceny-theft	1
Motor vehicle theft	2
Arson	2
Drugs	1
Trafficking	1
Public order	1
Weapons	3

Note: General offense categories include offenses not detailed.

More than three-quarters of youth newly admitted to State prison were minorities

Minorities made up a greater proportion of new court commitments involving youth under age 18 than of those involving older offenders. Blacks accounted for the largest proportion of new prison admissions for both age groups.

New court commitments to State prison:

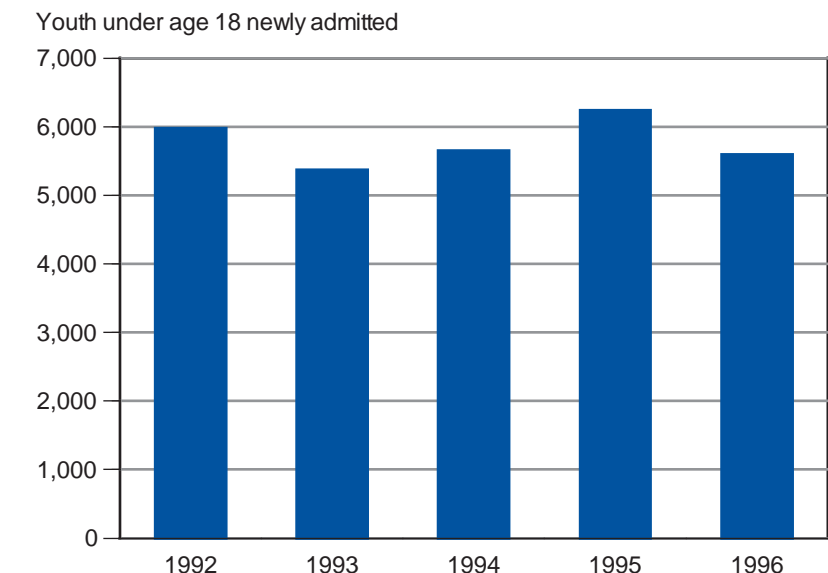
Race/ethnicity	Age at admission	
	Under 18	18 or older
Total	100%	100%
White, not Hispanic	23	35
Minority	77	65
Black	60	46
Hispanic	15	18
American Indian	1	1
Asian	1	<1

The minority proportion of new admissions varied by offense category. Drug offenses had the greatest proportion of minority admissions for both age groups.

New court commitments to State prison:

Most serious offense Race/ethnicity	Age at admission	
	Under 18	18 or older
Person	100%	100%
White, not Hispanic	17	35
Minority	83	65
Property	100%	100%
White, not Hispanic	46	46
Minority	54	54
Drugs	100%	100%
White, not Hispanic	5	22
Minority	95	78
Public order	100%	100%
White, not Hispanic	28	47
Minority	72	53

In the 36 States that reported data, under-18 prison admissions decreased 10% from 1995 to 1996



Source: Authors' analysis of the Bureau of Justice Statistics' *National Corrections Reporting Program 1992–1996* [machine-readable data files].

While many States had increases from 1992 to 1996 in the number of under-18 youth newly admitted to State adult prison systems, some States with the most admissions in 1996 had decreases

State	Youth under age 18 admitted to State adult correctional systems		
	Number newly admitted in 1996	Proportion of 1996 admissions	Percent change 1992–1996
All reporting States*	5,599	2.3%	–6%
Upper age 15			
New York	624	3.5	–10
North Carolina	378	3.6	–51
Upper age 16			
Illinois*	460	2.7	29
South Carolina	353	5.3	56
Michigan	295	3.7	29
Georgia	219	2.3	99
Wisconsin†	196	4.1	165
Missouri	180	2.4	53
Louisiana	138	2.0	24
New Hampshire	6	1.1	–
Upper age 17			
Florida	773	4.1	–21
California	394	0.8	116
Youth Authority only	286	39.6	81
Mississippi*	217	4.4	117
Ohio	206	1.6	94
Alabama*	172	3.1	66
Oregon	141	5.7	–
Maryland	139	1.8	–5
Colorado	125	3.0	–
Washington	86	1.7	146
Pennsylvania	76	1.4	69
Virginia	71	0.9	18
Iowa	56	1.8	93
Nevada	54	1.9	–
Minnesota	52	2.1	–
Nebraska	50	3.6	67
New Jersey	49	0.5	32
Arkansas	27	3.6	–85
Utah	22	1.7	–
South Dakota	11	1.6	–
Tennessee	10	0.2	–
Kentucky	10	0.2	–
North Dakota	5	1.3	–
Oklahoma	5	1.0	–
Maine	1	0.2	–
Hawaii	0	0.0	–
West Virginia	0	0.0	–

*Count has been adjusted for admissions that were missing age data, based on admissions that had age data.

†In 1996, Wisconsin changed its upper age of juvenile jurisdiction from 17 to 16.

– Too few cases to calculate a reliable percent change.

Source: Authors' analysis of the Bureau of Justice Statistics' *National Corrections Reporting Program 1992–1996* [machine-readable data files].

6 out of 10 youth newly admitted to State prisons committed a person offense

Compared with the offense profile for older inmates, new commitments involving youth under age 18 had a substantially greater proportion of person offenses (primarily robbery and aggravated assault) and a smaller proportion of drug offenses.

New court commitments to State prison:

Most serious offense	Age at admission	
	Under 18	18 or older
All offenses	100%	100%
Person	60	29
Murder	9	3
Kidnaping	1	1
Sexual assault	4	6
Robbery	31	9
Aggravated assault	11	7
Property	22	30
Burglary	14	12
Larceny-theft	3	8
Motor vehicle theft	2	2
Arson	1	1
Drugs	11	31
Trafficking	7	18
Possession	3	7
Public order	5	5
Weapons	4	3

Note: General offense categories include offenses not detailed.

The vast majority of under-18 youth admitted to prison were male

Males accounted for 96% of new court commitments involving youth under age 18. Commitments of females under 18 primarily involved charges of assault, robbery, murder, and drug offenses.

Imposition of the death penalty for crimes committed at age 17 or younger is rare

The current era of death sentences began in 1973

The Supreme Court decision in *Furman v. Georgia* (1972) struck down all existing death penalty statutes. Sentencing under post-*Furman* statutes began in 1973. The constitutionality of these current-era statutes was not determined by the Supreme Court until the 1976 decision in *Gregg v. Georgia*. Executions under the current-era statutes did not begin until 1977.

Supreme Court decisions prohibit the death penalty for persons younger than 16

The Supreme Court, in *Eddings v. Oklahoma* (1982), reversed the death sentence of a 16-year-old tried as an adult in criminal court. The Court held that a defendant's young age, as well as mental and emotional development, should be considered a mitigating factor of great weight in deciding whether to apply the death penalty. The Court noted that adolescents are less mature, responsible, and self-disciplined than adults and are less able to consider the long-range implications of their actions. The Court, however, did not address the question of whether the 8th and 14th amendments prohibit the imposition of the death sentence on an offender because he was only 16 years old at the time the offense was committed.

In *Thompson v. Oklahoma* (1988), the issue before the Court was whether imposing the death penalty on an offender who was 15 years old at the time of the murder violated constitutional protections against cruel and unusual punishment. The Court concluded that the eighth amendment prohibited application

of the death penalty to a person who was younger than 16 at the time of the crime. In *Stanford v. Kentucky* (1989) the Court decided that the eighth amendment does not prohibit the death penalty for crimes committed at age 16 or 17.

Youth younger than 18 constitute a small proportion of those receiving the death penalty

From January 1, 1973, through October 31, 1998, 177 death sentences were handed down to 164 persons who were younger than 18 at the time of their crime. Youth sentenced to death for crimes committed at

age 17 or younger accounted for approximately 3% of all individuals receiving death sentences since 1973.

Most "juvenile" death sentences are eventually reversed

As with most death sentences, many under-18 death sentences imposed are reversed. Since 1973, 50% of these under-18 death sentences have been reversed, 7% have resulted in executions, and 43% are still in force.

Some of the youth sentenced to death had their sentences reversed only to have them reinstated. Of

Most States that specify a minimum age for the death penalty set the minimum at age 16 or 18

None specified	Age 16 (or less)	Age 17	Age 18
Arizona	Alabama	Georgia	California
Idaho	Arkansas (14) ^b	New Hampshire	Colorado
Louisiana	Delaware	N. Carolina ^e	Connecticut ^f
Montana	Florida	Texas	Federal system
Pennsylvania	Indiana		Illinois
S. Carolina	Kentucky		Kansas
S. Dakota ^a	Mississippi (13) ^c		Maryland
Utah	Missouri		Nebraska
	Nevada		New Jersey
	Oklahoma		New Mexico
	Virginia (14) ^d		New York
	Wyoming		Ohio
			Oregon
			Tennessee
			Washington

^a Juveniles may be transferred to criminal court. Age can be a mitigating factor.

^b See Arkansas Code Ann. 9-27-318(b)(2)(Repl.1991).

^c The minimum age defined by statute is 13, but the effective age is 16 based on interpretation of U.S. Supreme Court decisions by the State attorney general's office.

^d The minimum age for transfer to criminal court is 14 by statute, but the effective age for a capital sentence is 16 based on interpretation of U.S. Supreme Court decisions by the State attorney general's office.

^e The age required is 17 unless the murderer was incarcerated for murder when a subsequent murder occurred; then the age may be 14.

^f See Conn. Gen. Stat. 53a-46a(g)(1).

Note: Minimum ages (at the time of the capital offense) reflect interpretation by State attorney general offices. States not listed do not have the death penalty.

Source: Authors' adaptation of Snell's Capital punishment 1997, *BJS Bulletin*.

the 164 persons sentenced to death for crimes committed at age 17 or younger, 12 had their sentences reversed and then reinstated at least once. One of these offenders has had his death sentence reversed four times and reinstated three times.

76 death row inmates committed their crimes prior to age 18

Of the 76 inmates on death row on October 31, 1998, for crimes com-

mitted at age 17 or younger, 59 were age 17 at the time of their offense, and the remaining 17 were age 16. Half of these inmates (38 of 76) were not juveniles at the time of their offense—they were legally adults, because they were older than their State's upper age of juvenile court jurisdiction. The majority of these (27 of 38) were 17-year-olds from Texas, where the upper age is 16.

The youngest of those on death row on October 31, 1998 for crimes committed prior to age 18 was 18 years old; the oldest was 40 years old, and the average age was 24. As of October 31, 1998, an average of 6 years had passed since the offender's initial death sentence.

The victims of these death row inmates tended to be adults

Most of the 104 victims of the 76 inmates on death row for crimes committed prior to age 18 were adult victims (84%). Most of the victims were white (59%). The majority of offenders were minorities (47 of 76); all were male.

Offender/victim	Percent of victims
Nonminority/nonminority	35%
Minority/minority	32
Minority/nonminority	32
Nonminority/minority	3

Note: Nonminority includes whites not of Hispanic ethnicity; all else are minority.

Texas and Florida account for 4 in 10 offenders sentenced to death for crimes committed before age 18 from 1973 through October 31, 1998

	Offenders
Total	164
Texas	42
Florida	23
Alabama	15
Mississippi	10
Louisiana	9
Georgia	7
South Carolina	7
North Carolina	6
Ohio	6
Oklahoma	6
Pennsylvania	5
Arizona	5
Missouri	4
Virginia	4
Indiana	3
Arkansas	2
Kentucky	2
Maryland	2
Nevada	2
Nebraska	1
New Jersey	1
Washington	1

Source: Authors' adaptation of Streib's Present death row inmates under juvenile sentences and executions for juvenile crimes, January 1, 1973 to October 31, 1998, *Juvenile Death Penalty Today*.

Those executed for crimes committed at age 17 or younger were all from States where the upper age of juvenile court jurisdiction is 16; therefore, they were legally adults at the time of their crime

Executions of under-18 offenders: January 1, 1973–October 31, 1998:

Name	State	Age at offense	Age at execution	Race/ethnicity
Jay Pinkerton	TX	17	24	white
James Roach	SC	17	25	white
Ruben Cantu	TX	17	26	Hispanic
Dwayne Wright	VA	17	26	black
Charles Rumbaugh	TX	17	28	white
Johnny Garrett	TX	17	28	white
Frederick Lashley	MO	17	29	black
Dalton Prejean	LA	17	30	black
Curtis Harris	TX	17	31	black
Christopher Burger	GA	17	33	white
Robert Carter	TX	17	34	black
Joseph Cannon	TX	17	38	white

- On average, executions took place 11 years after initial death sentences were imposed.
- Ten of these twelve inmates had never had their sentences reversed. Their executions took place an average of 10 years following their initial death sentence. For the two who had their sentences reversed and then reinstated, an average of nearly 15 years passed before their execution.

Source: Authors' adaptation of Streib's Present death row inmates under juvenile sentences and executions for juvenile crimes, January 1, 1973 to October 31, 1998, *Juvenile Death Penalty Today*.

Sources

- Bureau of Justice Statistics. (1998). *National Crime Victimization Survey for the years 1991 and 1996* [machine-readable data files]. Washington, DC: BJS.
- Bureau of Justice Statistics. (1998). *National Corrections Reporting Program 1992–1996* [machine-readable data file]. Washington, DC: BJS.
- Bureau of the Census. (1998). *Estimates of the population of States by age, sex, race, and Hispanic origin: 1990–1997* [machine-readable data files]. Washington, DC: Bureau of the Census.
- Butts, J., Snyder, H., Finnegan, T., Aughenbaugh, A., Tierney, N., Sullivan, D., Poole, R., Sickmund, M., and Poe, E. (1994). *Juvenile court statistics 1991*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention.
- Federal Bureau of Investigation. (1992). *Crime in the United States 1991*. Washington, DC: U.S. Government Printing Office.
- Federal Bureau of Investigation. (1998). *Crime in the United States 1997*. Washington, DC: U.S. Government Printing Office.
- Feld, B. (1991). Justice by geography: Urban, suburban and rural variations in juvenile administration. *The Journal of Criminal Law and Criminology*, 82(1), 156–210.
- Gallagher, C. (1999). Juvenile offenders in residential placement 1997. *OJJDP Fact Sheet* (#96). Washington, DC: Office of Juvenile Justice and Delinquency Prevention.
- Gilliard, D. and Beck, A. (1998). Prison and jail inmates at midyear, 1997. *BJS Bulletin*. Washington, DC: Bureau of Justice Statistics.
- Greenfeld, L. (1989). Capital punishment 1988. *BJS Bulletin*. Washington, DC: Bureau of Justice Statistics.
- Greenfeld, L. (1990). Capital punishment 1989. *BJS Bulletin*. Washington, DC: Bureau of Justice Statistics.
- National Center for Juvenile Justice. (1998). *National Juvenile Court Data Archive: Juvenile court case records for the years 1975–1996* [machine-readable data files]. Pittsburgh, PA: NCJJ [producer].
- Office of Juvenile Justice and Delinquency Prevention. (1993). *Children in Custody Census of public and private juvenile detention, correctional, and shelter facilities 1990/91* [machine-readable data files]. Washington, DC: Bureau of the Census [producer].
- Office of Juvenile Justice and Delinquency Prevention. (1996). *Children in Custody Census of public and private juvenile detention, correctional, and shelter facilities 1994/95* [machine-readable data files]. Washington, DC: Bureau of the Census [producer].
- Office of Juvenile Justice and Delinquency Prevention. (1998). *Census of Juveniles in Residential Placement 1997* [machine-readable data file]. Washington, DC: OJJDP.
- Pope, C. (1992). Juvenile crime and justice. In B. Forst. (ed.), *The socioeconomics of crime and justice*. Armonk, NY: M. E. Sharpe.
- Pope, C., and Feyerherm, W. (1990). Minority status and juvenile justice processing. *Criminal Justice Abstracts*, 22(2), 327-336 (Part I); 22(3), 527-542 (Part II).
- Pope, C., and Feyerherm, W. (1991). *Minorities and the juvenile justice system. Final report*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention.
- Snell, T. (1998). Capital punishment 1997. *BJS Bulletin*. Washington, DC: Bureau of Justice Statistics.
- Stahl, A, Sickmund, M., Finnegan, T., Snyder, H., Poole, R., and Tierney, N. (1999). *Juvenile court statistics 1996*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention.
- Streib, V. (1998). Present death row inmates under juvenile sentences and executions for juvenile crimes, January 1, 1973 to October 31, 1998. *Juvenile Death Penalty Today*. Cleveland, OH: Streib.